

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GEORGE FREEMAN,

Plaintiff,

No. C02-2172Z

V.

ORDER

JANE AND JOHN HEIDERICH, LARCH PROPERTIES LLC, and JANE AND JOHN DOE DEFENDANTS 1-6,

Defendants.

In a March 4, 2005 Minute Order, docket no. 25, the Court directed Plaintiff to show cause why he had not violated Fed. R. Civ. P. 11(b). Under Fed. R. Civ. P. 11, by presenting to the Court a pleading, the Plaintiff certified that “the claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.” Specifically, the Court noted that Plaintiff appears to have violated Fed. R. Civ. P. 11(b) because Plaintiff’s claims have been fully litigated at the state court level and are thus barred by res judicata. Further, the Court explained that Plaintiff’s claims are grounded in state law and the Court does not have subject matter jurisdiction over them. The Plaintiff responded to this Minute Order, docket no. 26.

1 The Plaintiff's response does not address the concerns raised by the Court. The
2 Plaintiff does not address the fact that his claims were fully litigated in state court or clarify
3 what this Court's subject matter jurisdiction is based on. Therefore, the Court finds that the
4 Plaintiff has violated Fed. R. Civ. P. 11(b). The Court finds that a reasonable sanction to
5 deter further such conduct is an award of Defendants' reasonable costs and attorneys' fees of
6 \$4,047.50. See Campbell Decl., docket no. 10.

7 IT IS SO ORDERED.

8 DATED this 26th day of April, 2005.

Thomas S. Zilly
Thomas S. Zilly
United States District Judge